



## **PROVO MUNICIPAL COUNCIL**

### **Redevelopment Agency of Provo**

#### **Regular Meeting Minutes**

5:45 PM, Tuesday, August 02, 2016

Room 200, Municipal Council Chambers  
351 West Center

## **Opening Ceremony**

### **Roll Call**

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member Kim Santiago

Council Member Gary Winterton (via telephone)

Council Member David Harding

Council Member George Stewart

CAO Wayne Parker

Council Member Vernon K. Van Buren

Council Member David Sewell

Council Member David Knecht

Mayor John R. Curtis

Council Attorney Brian Jones

Conducting: Council Chair Kim Santiago

### **Invocation and Pledge**

Invocation: Jimmy McKnight, Provo City Management Analyst

Pledge: Mark Ogren, Provo City Water Reclamation Plant Manager

## **Public Comment**

Carol Walker, Provo business owner, thanked the Mayor and Council for all they do for the community.

There were no more public comments.

## **Mayor's Items and Reports**

- 1. Joint Resolution 2016-34 of the Provo City Mayor and Municipal Council outlining their concern with the recent proposed standards from the Utah Department of Environmental Quality related to the impact of the wastewater effluent on the chemistry of Utah Lake. (16-091)**

David Decker, Public Works Director, presented. Public works had some concerns with an integrated report, recently prepared by the Utah State Department of Environmental Quality

18 (DEQ), concerning water quality at Utah Lake. The deadline for public comment on the report  
19 was extended from August 9, 2016 to September 8, 2016. Even though the comment period was  
20 extended Mr. Decker felt it was important for the council to understand some of the potential  
21 impacts the report would likely have on Provo City and the residents.

22  
23 They were concerned with reports from Provo City consultants (hired relative to a developing a  
24 master plan at the treatment plant) and professionals from academic institutions that indicated the  
25 report was inadequate, incomplete, and scientific evidence had been largely ignored. The end  
26 results indicated that, even with the removal of the phosphorus and nitrates with the new  
27 regulations, algae blooms would continue to happen at Utah Lake. They felt the tightened  
28 regulations may have unintended consequences that had not been thoroughly vetted with the  
29 scientific community.

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31 Mr. Decker stated it was Public Work's responsibility, given the amount of money that would be  
32 spent on the proposed regulations, to make the council aware of the potential impacts,  
33 particularly when the end results were in question.

34  
35 The upgrades at the treatment plant were projected to cost about \$52 million between now and  
36 2025 with the improvements meeting the current DEQ regulations. An additional \$35 million by  
37 2035 (for a total of \$87 million) was needed to meet expected capacity increases. If DEQ plan  
38 was approved, we would spend an additional \$20 million to meet the potential stricter nutrient  
39 limits.

40  
41 With just the \$52 million upgrades it would amount to \$1.80 per month/per person that would be  
42 passed on to the residents. A family of five would see an increase of just more than \$9 per  
43 month. If they took the \$52 million and divided it by the 18,000 connections it would average a  
44 little more than \$12 per connection/per month that fees would need to be increased to meet the  
45 current regulations.

46  
47 The proposed resolution asked the DEQ to take some time with some of the scientific  
48 community and make sure that a long-term plan was established before implementing the  
49 integrated report. Communities, like Provo, would need to plan financially for the increased  
50 costs. We also need to make sure what the results would be and that there would be  
51 accountability for those results.

52  
53 In response to a question from Mr. Knecht, Mr. Decker stated that many of the multi-family  
54 dwellings had individual electric meters so a 100 unit would have 100 electric meters but there  
55 would only be one sewer connection into the building. That was why the number of electric  
56 meters was greater than the number of sewer connections.

57  
58 Mr. Harding said that, with the extension of the comment period, he would rather wait until after  
59 they had a chance to meet with the Division of Water Quality (DWQ) before they acted on the  
60 resolution. He made the following motion.

**Motion:** Council Member David Harding moved to continue this item until the September 6<sup>th</sup> meeting to give the council the opportunity to meet with the Division of Water Quality to hear from them and ask questions before we make a decision on this resolution. The motion was seconded by Council Member George Stewart.

In response to a question from Mr. Van Buren, Mr. Harding stated if there was more information, and they received answers to some of their questions, it could change his position on the resolution. He wanted his questions answered before he approved the resolution.

Mr. Sewell noted our water experts were not seeing enough hard science to justify the tens of millions of dollars it would take to meet the new regulations. He was fine with going ahead with the resolution. All it said was the council would like to see more evidence before committing to the amount of money it would take to meet new regulations.

Mayor Curtis noted the resolution was simply asking the DEQ to slow down and get our team on board.

Mr. Knecht read the following from the proposed resolution and said he was good with the resolution:

“If the necessary additional scientific research does eventually support standards and regulations that require infrastructure changes in order to make justifiable improvements in the quality of Utah Lake, Provo requests that affected entities be allowed adequate time to appropriately budget for the required changes.”

Mr. Harding imagined the scientists at the DEQ disagreed with what was presented to the council during work meeting, just like those presenters disagreed with the DEQ. He felt it would be better to hear from both sides before making a decision.

Mr. Stewart said he seconded the motion for the purposes of discussion but he would rather approve the resolution that night. He felt the meeting on September 6 was too close to the end of the comment time.

Mr. Harding said he would be willing to amend the motion to consider this item in two weeks if they could meet with DEQ during that time.

Mr. Van Buren said that the resolution asked for a delay in action. If DEQ’s statistics were true we would need to have time to prepare for it budget wise. We need to support our staff and departments. It would not hurt to pass the resolution that night and let the state and DEQ know we have concerns so they could begin to address those concerns.

Chair Santiago stated that the DEQ would come with their best arguments for why their study had been done right. We would have them come and make a presentation whether the council passed the resolution that night or not. The Jordan River Farmington Bay Water Quality Council was doing a study. Those results would not be back until

February or March of next year. She was comfortable sending the message that we needed more information from the DEQ. It was a huge price tag for the proposed regulations. The DEQ needed to have their facts straight and bring compelling evidence that our professionals were comfortable with.

Mr. Winterton was supportive of the resolution as written and would support it right now. The city was just asking the state to study things better before we commit to that amount of money.

Chair Santiago called for a vote on Mr. Harding's motion to continue this item until the September 6, 2016 meeting so the council could hear from the DWQ before considering the resolution.

**Roll Call Vote:** The motion failed 1:6 with Council Member Harding in favor and Council Members Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton opposed.

Chair Santiago asked for another motion or additional comment.

**Motion:** Council Member David Knecht moved to approve Joint Resolution 2016-34 as written. The motion was seconded by Council Member Vernon K. Van Buren.

**Roll Call Vote:** The motion passed 6:1 with Council Members Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor and Council Member Harding opposed.

Mayor Curtis confirmed his support of Joint Resolution 2016-34.

Adjourn

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**Motion:** Council Member George Stewart moved to adjourn 6:07 p.m. The motion was seconded by Council Member Vernon K. Van Buren.

**Roll Call Vote:** The motion passed 7:0 with Council Members Harding, Knecht, Santiago, Sewell, Stewart, Van Buren, and Winterton in favor.